



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

0

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,694	03/03/2004	Madan Mohan	09334.0003-00	4326
22852	7590	10/31/2006		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				EXAMINER VIDWAN, JASJIT S
				ART UNIT 2182 PAPER NUMBER

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/790,694	MOHAN ET AL.	
	Examiner	Art Unit	
	Jasjit S. Vidwan	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 July 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-36 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 March 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Saran et al, U.S.

Publication: 2003/0055668 [herein after Saran].

3. As per claims 1, 5, 9, 13, 17 and 21, Saran teaches a method of performing an availability check [Page 1, Paragraph 0009, “inventory Update”] on a mobile device [Fig. 1, elements 54 - “phone”, 60 - “PDA”], comprising:

Synchronizing one or more data items in a backend database with one or more data items in a replica database located at the mobile device [See Fig. 1, “3rd Party Database” – 3rd party database is a replica database for the database (40) that stores tables of data – Also see Paragraph 0013, “Data and synchronization of state between objects is combined into each message sent by the workflow.”].

Receiving an item number [Page 7, Paragraph 0093, “Bar Code number”] and requested quantity of the item number [Page 7, Paragraph 0093, “quantity”] on an auxiliary computing platform of the mobile device [60 – “PDA”], the auxiliary computing platform disconnected from a principal computing platform [Page 7, Paragraph 0093, “This is an example of message that might be sent across the platform to update inventory records based on a physical inventory that was taken using the hand-held device”, Examiner construes the teaching

as follow: When the inventory was physically taken and the above fields generated, the hand-held device was not connected to the principal computer as it was being used to take inventory];

Creating an availability query with parameters comprising the item number and the quantity [Paragraph 0093, "message is formatted by HIS"];

Connecting to the principal computing platform and sending the availability query to the principle computing platform [Paragraph 0093, Agent process forwards response to workflow engine with updated inventory record response]; and

Receiving a query result from the principal computing platform, the query result indicating the availability of the item number at the requested quantity [Page 7, Paragraph 0095, "from data manager to workflow engine"].

4. As per claims 2, 6, 10, 14, 18 and 22, Saran teaches method further including displaying the query result [Page 7, Paragraph 0095] to a user [Page 4, Paragraph 0050, "sales manager's screen"]
5. As per claims 3, 7, 11, 15, 19 and 23, Saran teaches method wherein the availability query is selected from at least one of a product availability check, a product allocation check, and a forecast check [Page 7, paragraph 0093 – Query is generated from a physical availability check of the inventory]
6. As per claims 4, 8, 12, 16, 20 and 24, Saran teaches a method wherein the query result indicates at least one of a full, partial, or unavailable availability of the requested quantity [Page 11, Paragraph 0129 and 0130, "quantity of the item remaining in stock"].
7. As per Claims 25, 26, 27, 28, 29 and 30, Saran teaches a system wherein the displayed result is other than a quantity number [Page 11, Paragraph 0130 & 0131, "Reorder the item" message].
8. As per Claims 31, 32, 33, 34, 35, 36, Saran teaches a method wherein the mobile device receives the item number and quantity from a user not in the physical presence of the item [see Paragraph 0123 & 0124].

Response to Arguments

9. Applicant's arguments filed 7/20/2006 have been fully considered but they are not persuasive.

Applicant argues:

- (I) Prior art fails to teach "creating an availability query with parameters comprising the item number and the quantity"
- (II) Prior art fails to teach, "receiving a query result from the principal computing platform ... indicating the availability of the item number at the requested quantity"
- (III) Prior art fails to teach "synchronizing one or more data items in a backend database with one or more data items in a replica database located in the mobile device."

8. **As per Argument I, Examiner disagrees.** Saran teaches "creating an availability query with parameters comprising the item number and the quantity" [Page 7, Paragraph 0093, "*The message type INV-DNLOAD (inventory download) is an instance of the inventory class of messages. The payload in this example consists of two field name-value pairs, specifying a bar code number and a quantity. This is an example of a message that might be sent across the platform to update inventory records based on a physical inventory that was taken using the hand-held scanner.*"] Applicant argues that the above-taught teaching does not read on Applicant's claim because availability query, unlike an update, does not necessarily require modifying database records and further a person scanning physical inventory typically would not use an availability query because that person can see that the scanned inventory is available. Though the Examiner agrees with the Applicant on above two points, the argument is moot due to the fact that the Applicant never introduces the above limitations into the claim language.

9. **As per Argument II, Examiner disagrees;** Again Saran teaches, "receiving a query result from the principle computing platform (hand-held scanner) ... indicating the availability of the item number (bar code number) and item number (quantity) at the requested quantity" [see Paragraph 0093]. Applicant argues that Saran does not teach "availability of the item number", however Examiner construes Saran's teaching to read that providing a user with quantity of the requested item is same as providing "availability" of the said item since quantity of zero would only mean the said item is not available.

Art Unit: 2182

10. **As per Argument III, Examiner disagrees.** Saran teaches "synchronizing one or more data items in a backend database with one or more data items in a replica database located in the mobile device" [See Fig. 1, "3rd Party Database" – 3rd party database is a replica database for the database (40) that stores tables of data].

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

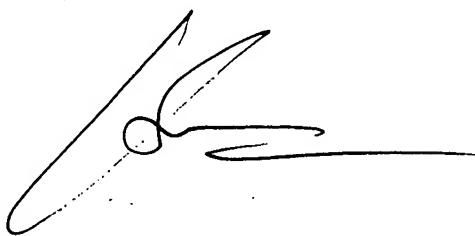
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasjit S. Vidwan whose telephone number is (571) 272-7936. The examiner can normally be reached on 8am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM HUYNH can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2182

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSV
10/16/2006



KIM HUYNH
SUPERVISORY PATENT EXAMINER

10/26/06